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|---|---------------------------|------------------|
| DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION <input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Declaration Submitted with Submitted after Initial Initial Filing Filing (surcharge 37 CFR 1.16(e) required) | Attorney Docket No. | RFS-001CP |
| | First Named Inventor | Lieblich |
| | COMPLETE IF KNOWN | |
| | Application Serial Number | 10/626,394 |
| | Filing Date | July 24, 2003 |
| | Group Art Unit | Not yet assigned |
| | Examiner Name | Not yet assigned |

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

| |
|--|
| DISTRIBUTED COMPUTER MONITORING SYSTEM AND METHODS FOR AUTONOMOUS COMPUTER MANAGEMENT |
|--|

(Title of the Invention)

the specification of which

☐ is attached hereto
OR
☒ was filed on 07/24/2003 as United States Application Serial Number or PCT International
(MM/DD/YYYY)

Application Number 10/626,394 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose to the Patent Office all information known by me to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information known by me which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or inventor's certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, or inventor's certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Serial Number(s) | Filing Date (MM/DD/YYYY) |
|------------------------------|--------------------------|
| | |

☐ Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto.

DECLARATION – Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application or PCT Parent Serial Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|--|------------------------------------|---|
| 10/618,092 | 07/11/2003 | |

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number → Place Customer
Number Bar Code
Label Here

OR

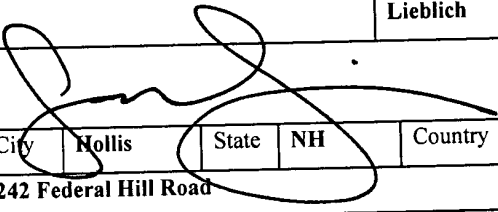

☒ Registered practitioner(s) name/registration number listed below

| | Registration Number | Name | Registration Number |
|---|------------------------|-----------------------|------------------------|
| Andrew F. Abramson | 52,538 | William R. Haulbrook | 53,002 |
| Steven M. Bauer | 31,481 | Ira V. Heffan | 41,059 |
| Mark L. Beloborodov | 50,773 | Douglas J. Kline | 35,574 |
| John V. Bianco | 36,748 | William A. Meunier | 41,193 |
| Robert S. Blasi | 50,389 | Thomas C. Meyers | 36,989 |
| Michael H. Brodowski | 41,640 | Ronda P. Moore | 44,244 |
| Jennifer A. Camacho | 43,526 | Jeremy P. Oczek | 50,794 |
| Joseph A. Capraro, Jr. | 36,471 | Jamie H. Rose | 45,054 |
| Fangli Chen | 51,551 | Christopher W. Stamos | 35,370 |
| Christopher H. Chung | 50,351 | Diana M. Steel | 43,153 |
| John J. Cotter | 38,116 | Robert J. Tosti | 35,393 |
| Robert V. Donahoe | 46,667 | Thomas A. Turano | 35,722 |
| Brian A. Fairchild | 48,645 | Natasha C. Us | 44,381 |
| James E. Fajkowski | 54,089 | Christine C. Vito | 39,061 |
| Jason P. Fiorillo | 52,892 | Daniel A. Wilson | 45,508 |
| John V. Forcier | 42,545 | Gerald E. Worth | 45,238 |
| Steven J. Frank | 33,497 | Yin P. Zhang | 44,372 |
| Kia L. Freeman | 47,577 | Stephanie M. Zierten | 52,397 |
| Brian M. Gaff | 44,691 | | |
| Edward A. Gordon | P-54,130 | | |
| Jennifer Grant Moisoto | 51,752 | | |
| Duncan A. Greenhalgh | 38,678 | | |
| <input type="checkbox"/> Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto. | | | |

Direct all correspondence to:

Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

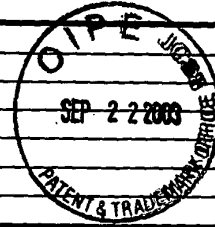
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | | | | | | |
|--|------|---|-------|------------------------|---------|-------|-------------|-----|
| Name of Sole or First Inventor: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | | |
| Given Name (first and middle [if any]) | | | | Family Name or Surname | | | | |
| Jason | | | | Lieblich | | | | |
| Inventor's Signature | |  | | | Date | | | |
| Residence | City | Hollis | State | NH | Country | USA | Citizenship | USA |
| Mailing Address | | 242 Federal Hill Road | | | | | | |
| Mailing Address (ln. 2) | City | Hollis | State | NH | ZIP | 03049 | Country | USA |
| <input type="checkbox"/> Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) attached hereto. | | | | | | | | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | | |
| Given Name (first and middle [if any]) | | | | Family Name or Surname | | | | |
| Dustin | | | | Norman | | | | |
| Inventor's Signature | |  | | | Date | | | |
| Residence | City | Nashua | State | NH | Country | USA | Citizenship | USA |
| Mailing Address | | 6B High Pine Avenue | | | | | | |
| Mailing Address (ln. 2) | City | Nashua | State | NH | ZIP | 03063 | Country | USA |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | | |
| Given Name (first and middle [if any]) | | | | Family Name or Surname | | | | |
| | | | | | | | | |
| Inventor's Signature | | | | | Date | | | |
| Residence | City | | State | | Country | | Citizenship | |
| Mailing Address | | | | | | | | |
| Mailing Address (ln. 2) | City | | State | | ZIP | | Country | |



FEE TRANSMITTAL
FY 2003

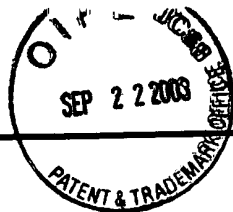
| Complete if Known | |
|---------------------------|------------------|
| Application Serial Number | 10/626,394 |
| Filing Date | July 24, 2003 |
| First Named Inventor | Lieblich |
| Group Art Unit | Not yet assigned |
| Examiner Name | Not yet assigned |
| Attorney Docket No. | RFS-001CP |



| METHOD OF PAYMENT | | FEE CALCULATION (continued) | | | |
|---|------------------------|--|--------------|--|----------|
| 1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other | | 3. ADDITIONAL FEES | | | |
| 2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit. | | | | | |
| 3. <input checked="" type="checkbox"/> Applicant claims small entity status. | | | | | |
| FEE CALCULATION | | | | | |
| 1. FILING FEE | | | | | |
| Large Entity | | | | | |
| Fee (\$) | Fee Description | Fee (\$) | Fee (\$) | Fee Description | Fee Paid |
| 750 | Utility filing fee | 130 | 65 | Surcharge - late filing fee or oath | \$ 65.00 |
| 330 | Design filing fee | 50 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 160 | Provisional filing fee | 130 | 130 | Non-English specification | |
| | | 2,520 | 2,520 | Request for ex parte reexamination | |
| | | 110 | 55 | Extension for reply within first month | |
| | | 410 | 205 | Extension for reply within second month | |
| | | 930 | 465 | Extension for reply within third month | |
| | | 1450 | 725 | Extension for reply within fourth month | |
| | | 1970 | 985 | Extension for reply within fifth month | |
| | | 320 | 160 | Notice of Appeal | |
| | | 320 | 160 | Filing a brief in support of an appeal | |
| | | 280 | 140 | Request for oral hearing | |
| | | 130 | 130 | Petitions to the Commissioner | |
| | | 180 | 180 | Submission of Information Disclosure Statement | |
| | | 750 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| | | 750 | 375 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| | | 100 | 100 | Certificate of Correction for applicant's error | |
| | | 110 | 55 | Submission of Terminal Disclaimer | |
| | | Other fee (Specify) | | | |
| | | Other fee (Specify) | | | |
| TOTAL: | | SUBTOTAL (3) (\$ 65.00) | | | |
| SMALL ENTITY DISCOUNT: | | | | | |
| SUBTOTAL (1) (\$ 0) | | | | | |
| 2. AMENDMENT CLAIM FEES | | | | | |
| Claims | Highest No. | Present | Rate | Fee Paid | |
| Remaining | Previously | Extra | | | |
| After Amend. | Paid For | | | | |
| Total | - | = | x \$ 18.00 = | | |
| Indep. | - | = | x \$ 84.00 = | | |
| <input type="checkbox"/> First Presentation of Multiple Dep. Claim | | | | + \$280.00 = | |
| TOTAL: | | | | (\$) | |
| SMALL ENTITY DISCOUNT: | | | | (\$) | |
| SUBTOTAL (2) | | | | (\$ 0) | |
| CORRESPONDENCE ADDRESS | | SIGNATURE BLOCK | | | |
| Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100 | | Respectfully submitted, Jason P. Fiorillo Attorney for the Applicants Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110 | | | |

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TRANSMITTAL FORM

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|---------------------------|------------------|
| Application Serial Number | 10/626,394 |
| Filing Date | July 24, 2003 |
| First Named Inventor | Liebllich |
| Group Art Unit | Not yet assigned |
| Examiner Name | Not yet assigned |
| Attorney Docket No. | RFS-001CP |
| Patent No. | Not applicable |
| Issue Date | Not applicable |

ENCLOSURES (check all that apply)

| | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences |
| <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] | <input type="checkbox"/> Formal Drawing(s) | <input type="checkbox"/> Appeal Brief (in triplicate) |
| <input type="checkbox"/> Petition for Extension of Time | <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal | <input type="checkbox"/> Status Inquiry |
| <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations | <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) | <input checked="" type="checkbox"/> Return Receipt Postcard |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 |
| <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above | <input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application | <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 |
| | <input type="checkbox"/> Small Entity Statement | <input type="checkbox"/> Additional Enclosure(s) (please identify below) |
| | <input type="checkbox"/> CD(s) for large table or computer program | |
| | <input type="checkbox"/> Amendment After Allowance | |
| | <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate) | |

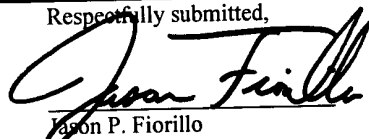
CORRESPONDENCE ADDRESS

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SIGNATURE BLOCK

Date: September 19, 2003
Reg. No.: 52,892
Tel. No.: (617) 310-8471
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Respectfully submitted,


Jason P. Fiorillo
Attorney for Applicants
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110



PATENT
Attorney Docket No.: RFS-001CP
(9521/4)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Lieblich *et al.*
SERIAL NO.: 10/626,394 GROUP NO.: Not yet assigned
FILING DATE: July 24, 2003 EXAMINER: Not yet assigned
TITLE: Distributed Computer Monitoring System and Methods for Autonomous
Computer Management

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 19th day of September, 2003.

Nicole Deane

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are:

- 1.) Transmittal Form (1 pg.);
- 2.) Executed Declaration and Power of Attorney for Utility or Design Patent Application (3 pgs.);
- 3.) Fee Transmittal (1 pg.);
- 4.) Check in the amount of \$65.00; and
- 5.) Return Receipt Postcard.